

## **REMARKS/ARGUMENTS**

In response to the Final Official Action of January 2, 2008, Applicant offers the following submissions and enclosed amendments.

### **Amendments**

Claim 6 has been amended to clarify that the encoded data has pixels values for a number of separate copies of all pixels in the visible image. The encoding system used by the present invention encodes several copies of each visible image, each copy with all the color value data needed to recreate the entire image. This is discussed in detail at page 10 lines 5 to 12. In light of this, the scanner has at least twice the resolution of the print resolution in the printer (see page 8, lines 24 and 25).

Accordingly, the amendments do not add any new matter.

### **35 USC §103**

Claims 2 to 6 stand rejected as obvious in light of US 6,636,332 to Soscia in view of US 6,437,849 to DeClerck et al.

Amended claim 6 is restricted to a scanner that can scan the digitally encoded data in a single scan. The digitally encoded data produces a bit map with several copies of the pixel data related to the visual image. If there is obliteration or corruption of one of the copies, another copy of the data is provided to the printhead to re-create the visual image. The present invention uses a data encoding system with a high density of data which allows it to encode several copies of the image data. It also requires the scanner to have a scan resolution at least double that of the print resolution.

Soscia has a single copy of the image 20 encoded in to the invisible indicia 40. To protect the indicia 40, a protective layer 10 is used. There is no suggestion that the hand held wand 150 can read the indicia at a resolution higher than resolution of the printed image. If the indicia are damaged or fail to scan properly, there is no suggestion of generating another image data file from different indicia on the photograph.

DeClerck et al is concerned with the high speed processing of traditional film photography. The individual frames on the input film reel 16 are scanned and the image sent to an active matrix LCD screen. DeClerck says that it is preferable to have a scanner with a resolution equal to, or greater than that of the final image, simply to avoid losing more resolution than would otherwise be lost in transferring the image to the photosensitive paper. There is no recognition of the need to acquire image data encoded in a format greater than that of the image itself.

Accordingly, the citations do not support a §103 rejection of amended claim 6. Likewise, claims 2-5 are also distinguished from the prior art by virtue of their dependence from claim 6.

### **Conclusion**

It is respectfully submitted that the Examiner's rejection has been successfully traversed. Accordingly, favorable reconsideration and allowance of the present application is courteously solicited.

Very respectfully,

Applicant/s:



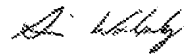
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